

Notice of Allowability

Application No.

09/758,646

Examiner

Romain Jeanty

Applicant(s)

CASE, AMY

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/11/01.
2. ☒ The allowed claim(s) is/are 1, 3-6, 8-13.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

ROMAIN JEANTY
PRIMARY EXAMINER

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claim 1

Line 1, before method, please insert -- computer implemented--.

Line 3, after comprising, please insert --using said computer to perform--.

Line 4, before company, please delete "obtaining" and insert -- storing --.

Line 5, before from, please insert --defining--,

Line 5, before company, delete "obtained" and insert --stored--.

Line 5, after data, please delete "defining".

Line 7, after mixes, delete ";" and insert -- ,and the step of defining a model including, for each of the companies exhibiting a successful growth:

calculating respective quantitative values for determining factors indicative of business activities and market position of the companies;

(i) providing, for each determining factor, a respective changeably predetermined range of factor values and a changeably predefined weight for each of the reenergize component, adjacent component and transformation component, and (ii) selecting, for each determining factor, as a function of the calculated quantitative value for the determining factor and the predetermined ranges, one of the reenergize component, adjacency component and transformation component for associating with that factor;

summing, for each component, the respective weights of the component corresponding to each

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selection of the component across the different determining factors, such that a respective weighted sum is produced for each of the reenergize component, adjacency component and the transformation component, and

determining, based on the weighted sums, relative percentage of the reenergize component, the adjacency component and the transformation component, the set of the determined relative percentages forming a model growth plan, such that plural different model growth plans are formed and define the model.

Claim 2 has been canceled.

Claim 3, line 1, please delete “2”, and insert --1--.

Claim 5, after formed, delete “by the method of Claim 1” and insert --by the computer-
implemented method of claim 1 for performing the steps of: obtaining company data of companies exhibiting successful growth; from the obtained company data, defining a model that quantifies respective amounts of reenergizing activities, adjacency activities and transformation activities for different strategic growth mixes; and applying the model to a given company such that respective quantitative amounts of a reenergize component, an adjacency component and a transformation component are defined and form a strategic growth mix for the given company, wherein the step of defining a model includes, for each of the companies exhibiting successful growth: from the obtained company data, calculating respective quantitative values for determining factors indicative of business activities and market position of the companies; for each determining factor, (i) providing a respective changeably predetermined range of factor

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values and a changeably predefined weight for each of the reenergize component, adjacency component and transformation component, and (ii) as a function of the calculated quantitative value for the determining factor and the predetermined ranges, selecting one of the reenergize component, adjacency component and transformation component for associating with that factor; for each component, summing the respective weights of the component corresponding to each selection of the component across the different determining factors, such that a respective weighted sum is produced for each of the reenergize component, adjacency component and the transformation component; and based on the weighted sums, determining relative percentage of the reenergize component, the adjacency component and the transformation component, the set of the determined relative percentages forming a model growth plan, such that plural different model growth plans are formed and define the model.

Claim 6:

Line 4, before a, please insert -- a memory serving as --.

Line 4, before company, please insert --and holding--.

Line 6, before a, please insert --a computer processor holding--

Line 8, after mixes, please delete “;” and insert -- , wherein the model defined a model including, for each of the companies exhibiting a successful growth: calculating respective quantitative values for determining factors indicative of business activities and market position of the companies;

(i) providing, for each determining factor, a respective changeably predetermined range of factor values and a changeably predefined weight for each of the reenergize component, adjacent component and transformation component, and (ii) selecting, for each determining factor, as a

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function of the calculated quantitative value for the determining factor and the predetermined ranges, one of the reenergize component, adjacency component and transformation component for associating with that factor;

summing, for each component, the respective weights of the component corresponding to each selection of the component across the different determining factors, such that a respective weighted sum is produced for each of the reenergize component, adjacency component and the transformation component, and

determining, based on the weighted sums, relative percentage of the reenergize component, the adjacency component and the transformation component, the set of the determined relative percentages forming a model growth plan; and repeating the foregoing steps for each of the multiple companies, such that plurality different model growth plans are formed and included in the model.

Claim 7 has been deleted.

Claim 8, line 1, please delete "7", and insert --6 --.

Claim 11, line 1, please delete "is" and insert --includes--.

Authorization for this examiner's amendment was given in a telephone interview with Mary L. Wakimura (Reg. No. 31804) on September 30, 2004.

Allowable Subject Matter

2. Claims 1, 3-6, 8-13 allowed.
3. The following is an examiner's statement of reasons for allowance:

Prior art of record to Ouimet et al (U.S. Patent 6,308,162) discloses a system for controlling the optimization of an enterprise planning model comprising of a primary goal to maximize gross profits. However, Ouimet et al fail to teach applying a model to a given

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company such that that respective quantitative amounts of a reenergize component, an adjacency component and a transformation component are defined and form a strategic growth mix for the given company as recited in independent claims 1 and 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Sandretto (U.S. Patent No. 5,812,988) discloses for estimating cashflow.
- b. Heckman et al (U.S. Patent No. 5,875,431) discloses a strategic analysis planning and evaluation system.
- c. Eder (U.S. Patent No. 6,321,205) discloses a method for analyzing business improvement programs.
- d. Shinozaki (U.S. Patent No. 6,578,009) discloses a market strategy support system for business customer sales.
- e. Honarvar (U.S. Patent No. 6,708,155) discloses a method for automatically optimizing a strategy of a decision.
- e. Dietrich (Wo639815A2) discloses a method for maximizing profit for an enterprise.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached on Mon-Thurs 7:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJ

October 28, 2004


ROMAIN JEANTY
PRIMARY EXAMINER

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